

1 UNITED STATES OF AMERICA
2 UNITED STATES DISTRICT COURT
3 SOUTHERN DISTRICT OF CALIFORNIA

4 HONORABLE WILLIAM V. GALLO
5 UNITED STATES MAGISTRATE JUDGE PRESIDING

6 UNITED STATES OF AMERICA,)
7)
8 PLAINTIFF,)
9)
10 VS.) NO. 10CR1372W
11)
12 JONATHAN LEAL-DEL CARMEN,)
13)
14)
15 DEFENDANT.)
16)

17 **PRELIMINARY HEARING**

18 REPORTER'S TRANSCRIPT OF PROCEEDINGS
19 **APRIL 15, 2010**
20 SAN DIEGO, CALIFORNIA

21 MELISSA A. PIERSON, CSR 12499, RPR
22 FEDERAL OFFICIAL COURT REPORTER
23 940 FRONT STREET, ROOM 3155
24 SAN DIEGO, CALIFORNIA 92101
25 PH: (619) 702-7508
PIERSON1121@SBCGLOBAL.NET

1 APPEARANCES OF COUNSEL:

2 ON BEHALF OF PLAINTIFF:

3 LAURA DUFFY
4 UNITED STATES ATTORNEY
5 BY: MR. DAVID FOX, ESQ.
6 ASSISTANT UNITED STATES ATTORNEYS
880 FRONT STREET
FIFTH FLOOR
SAN DIEGO, CA 92101

7 ON BEHALF OF DEFENDANT:

8 FEDERAL DEFENDERS OF SAN DIEGO
9 BY: MR. HANNI FAKHOURY, ESQ.
225 W. BROADWAY
ST. 900
SAN DIEGO, CA 92101
10 (619) 234-8467

1 SAN DIEGO, CALIFORNIA; THURSDAY, APRIL 15, 2010

2 - - -

3 (COURT IN SESSION AT 2:00 P.M.)

4
5 MADAM CLERK: 10CR1372, UNITED STATES OF AMERICA
6 VERSUS JONATHAN LEAL-DEL CARMEN.

7 MR. FAKHOURY: HANNI FAKHOURY, FEDERAL DEFENDERS,
8 ON BEHALF OF MR. LEAL-DEL CARMEN.

9 THE COURT: GOOD AFTERNOON, LADIES AND GENTLEMEN.
10 AS I CALL OUT YOUR NAME, PLEASE IDENTIFY YOURSELF. JONATHAN
11 LEAL-DEL CARMEN? GOOD AFTERNOON, SIR.

12 THE DEFENDANT: GOOD AFTERNOON.

13 MADAM CLERK: IS JONATHAN LEAL-DEL CARMEN YOUR TRUE
14 NAME?

15 THE DEFENDANT: YES.

16 MADAM CLERK: YOU ARE HEREBY EACH INFORMED THAT AN
17 INDICTMENT HAS BEEN FILED CHARGING MR. LEAL-DEL CARMEN WITHIN
18 BRINGING IN ILLEGAL ALIENS FOR FINANCIAL GAIN, BRINGING IN
19 ILLEGAL ALIENS WITHOUT PRESENTATION AND AIDING AND ABETTING.

20 COUNSEL, HAVE YOU EACH RECEIVED A COPY OF THE
21 INDICTMENT AND DO YOU WAIVE FURTHER READING?

22 MR. FAKHOURY: YES, AS TO MR. LEAL-DEL CARMEN.

23 MADAM CLERK: YOU ARE EACH FURTHER INFORMED THAT
24 YOU HAVE A RIGHT TO BE PRESENTED BY COUNSEL AT ALL
25 PROCEEDINGS THROUGHOUT THE COURT. YOU HAVE THE RIGHT TO

1 REMAIN SILENT. YOU HAVE THE RIGHT TO A TRIAL BY JURY. YOU
2 HAVE THE RIGHT TO CONFRONT AND CROSS-EXAMINE WITNESSES WHO
3 TESTIFY AGAINST YOU, AND YOU HAVE A RIGHT TO HAVE WITNESSES
4 SUBPOENAED TO TESTIFY ON YOUR BEHALF. HOW DO YOU NOW PLEAD
5 TO THE COUNTS IN WHICH YOU ARE NAMED?

6 THE DEFENDANT: NOT GUILTY.

7 THE COURT: ALL RIGHT, LADIES AND GENTLEMEN, NOT
8 GUILTY PLEAS WILL BE ENTERED ON YOUR BEHALF AT THIS TIME.

9 MR. LEAL-DEL CARMEN, YOU ARE ORDERED TO APPEAR
10 BEFORE JUDGE WHELAN ON MAY THE 3RD, AT 9:00 O'CLOCK IN THE
11 MORNING, FOR PURPOSES OF A MOTION SETTING, DO YOU UNDERSTAND?

12 THE DEFENDANT: YES.

13 THE COURT: ANYTHING FURTHER FROM COUNSEL FOR
14 EITHER SIDE?

15 MR. FAKHOURY: NO, YOUR HONOR.

16 MR. FOX: NO, YOUR HONOR.

17 THE COURT: THANK YOU ALL.

18 (WHICH WERE ALL THE PROCEEDINGS HELD.)
19
20
21
22
23
24
25

